

**To:** Legal and Constitutional, Committee (SEN)  
**Subject:** International child abduction to and from Australia

I submit that in addressing this subject it is necessary to first address the matter of child abduction by a parent whether it be in Australia or in another country. Parents need to learn from the beginning of parenthood that abducting children is not an option because it is not in the best interests of the child – the basis of our Family Law. At present we are doing the opposite.

At present we are encouraging, aiding and abetting the abduction of children by a parent by the loose, unfair and possibly unlawful way Separation, Domestic Violence and Family Law are administered by the Queensland and Federal Governments and possibly by other State and Territory Governments. I think it would be fair to say Governments have developed a costly system to try to help prevent rare extreme outcomes from domestic relationships by removing the rights and duties of mostly males to parent their children while providing protection for the multitude of bureaucrats and Ministers from the embarrassment of the rare instances of extreme outcomes. The cost of this is immense in terms of suffering and permanent damage to mostly children and men and extended families of the children, not to mention a great proportion of some 3 billion dollars domestic violence is said to cost taxpayers per year in Queensland alone. Please see the following for how this is being done.

## **HOW TO DESTROY FAMILIES AND CREATE JOBS IN QUEENSLAND:**

### **A TEN POINT SCHEME**

One way which is becoming popular for women is to separate from their partner under what may be termed the Queensland Separation Scheme. This can cost the woman nothing financially. She just needs to follow this ten point scheme. (This scheme is not available to men.)

1 Start by abducting the children. If anyone other than a parent did this it would be kidnapping and all who helped could be guilty of conspiring but not if a parent and her collaborators do it. Before leaving go to a “crisis” centre such as Ipswich Women's Centre Against Domestic Violence and allege you are suffering domestic violence from your partner. No investigation by Police or any other authority is required before many forms of assistance are available. These include, for example, court support, counselling, crisis support, and referral to other services if appropriate.

2 Go to the Queensland Government (Office for Women) website at

<http://www.women.qld.gov.au/resources/separation/documents/separating-infosheet.pdf> where you will find clear and comprehensive information about how to do it in a document “Separating from your partner”. Among other things you will be told:-

- a) “... if you are unhappy in your relationship, you have the right to separate at any time you decide.”
- b) “ ... it is advisable to take the children with you.”
- c) “ Call dvconnect on 1800 811 811 to find a refuge.”
- d) “Community legal centres, such as Women's Legal Service, provide free legal information and advice.”

3 Call dvconnect ( a charity part-funded by Queensland Department of Communities and run by a Board) after examining their website at <http://www.dvconnect.org/> . They will guide you through the system which has been established to facilitate your separation. Among other things, you will learn:-

a) “The Board undertakes its duties and obligations as required by the Corporations Act, the Service Agreement and other funding service delivery guidelines issued by the Department of Communities.”

b) “This service is staffed by a team of dedicated professional counsellors who provide crisis intervention, support, information, advocacy, telephone counselling, referrals and importantly, the statewide coordination of emergency refuge and shelter placements across Queensland. “

c) “Domestic Violence is an abuse of power. It occurs when one person in an intimate relationship engages in behaviour that causes fear or harm to the other person. This can include physical violence, damage to property, non-consensual sexual contact, financial control, emotional manipulation and abuse, or threats to commit any of the above. “ (This definition is not the definition in the Australian Family Law Act or the Queensland Domestic and Family Violence Protection Act but never mind it is the one you can use to make your allegations of domestic violence against your partner.)

(The *Family Law Act 1975* (Section 4) defines family violence as: 'conduct, whether actual or threatened, by a person towards, or towards the property of, a member of the person's family that causes that or any other member of the person's family reasonably to fear for, or reasonably to be apprehensive about, his or her personal well-being or safety.')

(The Queensland [Domestic and Family Violence Protection Act 1989](#) definition is “

“11 What is domestic violence

(1) Domestic violence is any of the following acts that a person

commits against another person if a domestic relationship

exists between the 2 persons—

(a) wilful injury;

(b) wilful damage to the other person’s property;

Example of paragraph (b)—

wilfully injuring a defacto’s pet

(c) intimidation or harassment of the other person;

Examples of paragraph (c)—

1 following an estranged spouse when the spouse is out in

public, either by car or on foot

2 positioning oneself outside a relative’s residence or place of

work

3 repeatedly telephoning an ex-boyfriend at home or work

without consent (whether during the day or night)

4 regularly threatening an aged parent with the withdrawal of

informal care if the parent does not sign over the parent's

fortnightly pension cheque

(d) indecent behaviour to the other person without consent;

(e) a threat to commit an act mentioned in paragraphs (a) to

(d).

(2) The person committing the domestic violence need not

personally commit the act or threaten to commit it.<sup>2</sup>"

4 Take the children to live in a place where it is impossible for them to attend the same school as they were attending and very difficult for your ex-partner to access. This considerably improves the chance that your ex-partner will ever only receive very limited access to them and, accordingly, you will be entitled to receive more child maintenance from him.

5 If you have a low-paid job quit it immediately and go to Centrelink who will, without any waiting period or investigation of the facts put you on a Single Parent Pension and, if applicable, other benefits such as the Family Tax Benefit.

6 Seek to have your name removed from the Lease Agreement if you were renting a house with your ex-partner. Do not worry about leaving your ex-partner to meet all rent payments and household bills. If he seeks repayment of your share in the Queensland Civil and Administrative Tribunal you can claim it is a property settlement matter which should be considered under Family Law.

7 Lodge with the Queensland Magistrates Court an application for a Protection Order alleging domestic violence by your ex-partner. Just say you are frightened of your partner and by following the dvconnect definition your application can be very broad. If it is and it does not meet the definition in the Queensland Domestic and Family Violence Protection Act it will not be investigated by the Queensland Police. Also, it may be many months before it is examined at a Court Hearing, particularly if the Respondent's (ex-partner's) reply to your allegations cannot be served on you because, with the help of dvconnect, you keep hiding the whereabouts of you and the children. However, it will blacken the name of your ex-partner and enable you to hide from him with the children. Schools, police, Centrelink, Community Services Department and its agencies will not tell him where you or the children are. Should he find out you will be helped by one of the agencies recommended by dvconnect, such as the Good Samaritans, to move house no matter how damaging this may be for the children - four moves in five months is not unknown. Similarly if the matter gets to Court and is dismissed one of the agencies will help you to move and remain hidden with the children.

8 Should your ex-partner seek assistance from the Federal Magistrates Court or Family Court to gain access to the children, make more allegations of domestic violence to the Court. It will be loath to grant your ex-partner's request while domestic violence allegations remain to be heard in a Queensland

Magistrates Court. Also, the Court cannot tell you where to live so the children can continue to be separated from your ex-partner. Sessions with a Family Consultant, Parenting Courses and Mediation will probably be ordered. These will take about three months to occur so you can continue to work on destroying the family and subjecting the children to an extremely disruptive and probably damaging experience. However your agency should be able to set your children up with a psychologist to help them endure the experience foisted upon them by you and the Queensland Separation Scheme.

9 Hagggle over property with your ex-partner. This will require valuations to be done and if there is much money involved more trips to Court. Trips to Court help prolong the period the children are kept away from your ex-partner so can exacerbate their anguish and make more certain the family is permanently destroyed.

10 Become somewhat familiar with the Australian Family Law Act which requires a court (and parents) to regard the best interests of the child as the most important consideration when deciding parenting disputes and the Queensland Domestic and Family Violence Protection Act. They run to over five hundred pages and are just full of avenues for bitter combat with your ex-partner which can adversely affect your children and destroy your family. Fortunately for you, these Acts do not address or explain how the Queensland Separation Scheme is in “the best interests of the child”. Do not worry much about possible penalties if you do not comply with the procedures and orders of the Court as they are very gentle on mothers with custody of children. However, take consolation in knowing that pursuing these avenues and the preceding nine points of the Queensland Separation Scheme will help create even more jobs in Queensland for courts, lawyers, counsellors, social workers, psychologists and other health workers (family destruction is very stressful for all concerned and stress is known to trigger many illnesses), public servants, police and all their supporting administrative staff.

Graham Douglas

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